

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:
Dirk Johannes SCHAEFER et al.

Serial No.: Unassigned
(based on Serial No. 09/718,087 filed
11/22/00)

Art Unit: Unassigned

Filed: Concurrently Herewith

Examiner: Unassigned

For: INJECTABLE BONE SUBSTITUTE MATERIAL

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

The documents submitted herewith on Form PTO/SB/08A, lists the documents cited by or submitted to the Patent Office in parent application Serial No. 09/718,087 filed November 22, 2000. The relevance of these prior art documents is explained in the parent application.


As provided in 37 C.F.R. §1.98(d), copies of the documents are not being provided since they were previously cited by or submitted to the Patent Office in parent application Serial No. 09/718,087 filed November 22, 2000.

The instant Information Disclosure Statement is being filed within three months of the filing date under 37 CFR §1.97(b)(1), therefore, no fee is required in connection with its filing. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Nov. 16, 2003
Date


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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known	
	Application Number	Unassigned		
	Filing Date	November 18, 2003		
	First Named Inventor	Dirk Johannes SCHAEFER et al.		
	Group Art Unit	Unassigned		
	Examiner Name	Unassigned		
Sheet	1	of	2	Attorney Docket Number
				24741-1532

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	A01	5,914,121		Robey et al.	6/22/1999

FOREIGN PATENT DOCUMENTS							
Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	A02	DE	34 25 182	C2	TAKAGI et al.	1/24/1985	
	A03	DE	42 19 321	A1	DRAENERT	12/16/1993	
	A04	DE	198 05 673	A1	QUANTE	8/26/1999	
	A05	DE	198 12 714	A1	BRADT et al.	9/30/1999	
	A06	DE	199 62 090	A1	WEIS	6/29/2000	
	A07	WO	97/14376		KWAN et al.	4/24/1997	

Examiner Signature		Date Considered	
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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		Attorney Docket Number	24741-1532
Sheet	2	of	2

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A08	CONSTANTINO et al., "Hydroxyapatite Cement", Archives of Autolaryngology, April 1991, pp. 379-384, Vol. 117, 1991, AMA	

Examiner Signature		Date Considered	
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